

LABOUR DEPARTMENT

The 22nd May, 1971

No. 5347-4Lab-71/16894.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s. Delhi Pulp Industries, Faridabad.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK.

Reference No. 4 of 1971

Between

SMT. PARMESHWARY WORKMAN C/o SHRI K. L. SHARMA, IK/83, FARIDABAD
AND THE MANAGEMENT OF M/S DELHI PULP INDUSTRIES,
FARIDABAD.

Present.—

Shri Onkar Parshad, for the workman.

Shri D.C. Bhardwaj, for the management.

AWARD

The Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication,—*vide* Government Gazette Notification No. ID/FD/485-B-70/55608 dated 23rd December, 1970.

“Whether the termination of services of Smt. Parmeshwary was justified and in order if not ; to what relief is he entitled ?

On receipt of the reference usual notices were issued to the parties in response to which a statement of claim was filed on behalf of the workman and the management filed their written statement. It is not necessary to decide the case on merits because the representative of the workman has made a statement that the dispute in question has been settled mutually and the workman has given up the claim for re-instatement and the management would pay one month's pay and other dues on account of earned wages, leave wages, and bonus. The representative of the management admit the correctness statement made on behalf of the workman I give my award as per term of settlement accordingly. No order as to costs.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 13th May, 1971.

No. 857, dated Rohtak, the 15th May, 1971

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under Section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 5348-4Lab-71/16896.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Gamsha Pipe Ltd. Faridabad.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK.

Reference No. 199 of 1970.

between

SHRI KANWAR CHAND WORKMAN C/O INTUC OFFICE, OPP. GOVT. GIRLS MIDDLE SCHOOL NO. 1, N. I. T. FARIDABAD AND THE MANAGEMENT OF M/S GAMSHA PIPE LTD., FARIDABAD.

Present :

Shri Amar Singh, for the workman.

Nemo, for the management.

AWARD

The Governor of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication, *vide* Government Gazette Notification No. ID/FD/126 A/36156, dated 3rd November, 1970 :—

Whether the termination of services of Shri Kanwar Chand was justified and in order. If not, to what relief is he entitled

On receipt of the reference usual notices were issued to the parties. It is not necessary to decide the case on merits because the representative of the workman has made a statement that the workman has been taken back into service with continuity of service and with full back wages and no claim is due to the workman. I give my award accordingly. No order as to costs.

Dated 13th May, 1971.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

—
No. 853, dated Rohtak the 14th May, 1971

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 5345-4Lab-71/16901.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of Messrs Amrit Banaspati Company, Ltd. Depot Bahadurgarh.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 192 of 1970

Between

SHRI SATISH KUMAR JAIN, SALESMAN C/O JAGDISH CHAND JAIN, CLOTH MERCHANT, GANDHI MARKET, BAHADURGARH (ROHTAK)
AND THE MANAGEMENT OF MESSRS AMRIT BANASPATI COMPANY, LTD., DEPOT BAHADURGARH.

Present :—

Shri Onkar Parshad, for the workman.

Shri C.M. Lal, for the Management.

AWARD

Shri Satish Kumar Jain, a salesman of M/s. Amrit Banaspati Company Ltd., Depot Bahadurgarh claims that he was working at Bahadurgarh Depot of the respondent company and his services were wrongfully terminated. This gave rise to an industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Court,—*vide* Govt. Gazette Notification No. I D/RK/166-70/34329, dated 19th October, 1970.

“Whether the termination of services of Shri Satish Kumar Jain was justified and in order. If not, to what relief is he entitled?

On receipt of the reference usual notices were issued to the parties in response to which a statement of claims was filed on behalf of the workmen and the management filed their written statement. On behalf of the management a preliminary objection has been taken that Sh. Satish Kumar Jain was appointed by the company's head office at Gaziabad and he was working directly under the control of supervision of the Head Office Gaziabad, therefore, the U. P. Government, is the appropriate Government and the present reference is bad and this Court has no territorial jurisdiction. It is further pleaded that the workman never raised any demand with the management which was rejected by them, therefore, there was no industrial dispute which could be referred for adjudication. The following preliminary issues were framed in order to dispose of these objections:—

(1) Whether the reference has not been made by the appropriate Government ?

(2) Whether there is no industrial dispute between the parties ?

Issue No. 1

Sh. Inder Mohan Tiwari, Depot Incharge of the respondent company at Bahadurgarh has stated that the workman Sh. Satish Kumar Jain was appointed by the Head Office Gaziabad and his pay was also received from Gaziabad. He stated that the goods are supplied in the territory of Haryana through the Bahadurgarh Depot and only the accounts of goods sold are maintained at Bahadurgarh and the workman Sh. Satish Kumar Jain was assisting him in his work. He stated that in order to sell the goods Sh. Jain used to go on tour and meet the respective customers. According to Sh. Tiwari he had no right to appoint any workman and the order of termination was also issued by him under the instructions from the head office.

The workman has not produced any evidence to rebut the version of Sh. Tiwari. The representative of the workman simply filed an application in which it was stated that the order by which his services were terminated was issued by the Depot Incharge, Bahadurgarh and in the order of termination it was not stated that the order was being issued under the instructions of the Head Office Gaziabad. It is alleged that the workman used to draw his wages and advances from Bahadurgarh Depot and the entries of such advances were also made in the cash book maintained at Bahadurgarh. It would not be out of place to point out that even in this application the workman has no controverted the ascertainment of the management that he was appointed by the head office and the Depot Incharge had no authority to pass any orders against him. Sh. Tiwari has specifically stated in his evidence that he issued the letter terminating the services of the workman under instructions from the head office. The workman can not be considered to be an employee of Bahadurgarh Depot simply because in the letter by which his services were terminated, it is not mentioned that his services were being terminated under the instructions of the head office. The important point to consider is whether the applicant was appointed by the head office and if so the Depot Incharge had no authority to terminate his services. It was therefore, very essential for the applicant to appear in evidence and affirm that the assertion of the Depot Incharge that he (applicant) was appointed by the head office was not correct and that the Depot Incharge had full control over him. As already pointed out the workman has not even cared to appear as witness. Under these circumstance it must be held that the applicant was appointed by the head office and was working under the control of the head office which is in Gaziabad and, therefore the U. P. Government, was the only appropriate Government, which could make the reference. I find this issue in favour of the management.

In view of my findings above it is not necessary to give any finding on issue No. 2 and since the dispute has not been referred by the appropriate Government; it is not possible to adjudicate upon it. I give my award accordingly. No order as to costs.

Dated: 6th May, 1971

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 829 Dated Rohtak, the 13th May, 1971

Forwarded (four copies) to the Secretary to Government, Haryana Labour and Employment Departments Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

The 22nd/25th April, 1971

No. 5345-Lab-70/16898.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workman and the management of M/s. Allied Metal Products, Jagadhri (Ambala).

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA
ROHTAK

REFERENCE No. 210 OF 1970

between

SHRI NAIN SINGH WORKMAN C/O BANSAL RADIO, RAILWAY ROAD, JAGADHRI AND
THE MANAGEMENT OF M/S ALLIED METAL PRODUCTS, JAGADHRI

Present :—

Nemo. for the workman.

Nemo. for the management.

AWARD

Shri Nain Singh was in the service of M/s. Allied Metal Products, Jagadhri (Ambala). His services were terminated and this gave rise to an industrial dispute. Accordingly the Governor of Haryana in exercise the powers conferred by clause (c) or sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication,—*vide* Gazette Notification No. ID/UMB/203-A-70/38395, dated 18th November, 1970:—

“Whether the termination of services of Shri Nain Singh was justified and in order ? If not, to what relief is he entitled?”

On receipt of the reference usual notices were issued to the parties. The workman on 9th February, 1971 was himself present and on behalf of the management Shri Parmod Kumar Mittal was present. The workman did not file the statement of claim as directed. He was accordingly ordered to file his claim statement on 7th April, 1971 and he was burdened with Rs. 5/- as costs for non-compliance with the order of the Court. On the adjourned date neither party appeared. It appears that the workman is not interested in prosecuting his claim. Since the workman has not even stated how the termination of his service was not justified, it must held that he is not entitled to any relief. I give my award accordingly. No order as to costs.

The 14th May, 1971.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 850, dated Rohtak, the 14th May, 1971

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required by Section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

B. L. AHUJA,
Commissioner for Labour and Employment,
and Secretary to Government Haryana.

DEVELOPMENT AND PANCHAYAT DEPARTMENTS

The 19th May, 1971

No. Pts-Elec-71/11606.—In exercise of the powers conferred by rule 4 of the Gram Panchayat Election Rules, 1960 and in supersession of all previous notifications issued in this behalf, the following

symbols are hereby notified with the previous approval of the Government for use in the elections to Gram Panchayats :—

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|-----------------------------|-----------------------|
| (1) Railway Engine | (21) Spectacle |
| (2) Scissors | (22) Swing |
| (3) Pitcher | (23) Persian Wheel |
| (4) Goat | (24) Letter Box |
| (5) Moosli and Ukhli | (25) Clock |
| (6) Race | (26) Cup and Saucer |
| (7) Takhti | (27) Axe |
| (8) Hand Fan | (28) Cock |
| (9) Lock and Key | (29) Sewing Machine |
| (10) Bird (Pigeon) | (30) Flower |
| (11) Table | (31) Chakki |
| (12) Dholak | (32) Aeroplane |
| (13) Chair | (33) Balti |
| (14) Charpoy | (34) Ladder |
| (15) Bus | (35) Spade and Stoker |
| (16) Camel | (36) Cart |
| (17) Pen and Inkpot | (37) Radio |
| (18) Flaming Torch (Mashal) | (38) Black Board |
| (19) Hurricane Lamp | (39) Open Box |
| (20) Open Umbrella | (40) Kettle |

Dated Chandigarh,
the 15th May, 1971.

PRATAP SINGH.
Director of Panchayats, Haryana.

AGRICULTURE DEPARTMENT

The 25th May, 1971

No. 7602.—Whereas it appears to the Governor of Haryana that land described below is likely to be needed by the Government, at public expense, for a public purpose, namely, for setting up Farmers Service Centre on Delhi-Mehrauli Road in village Gurgaon Hadbast No. 55, Tehsil and District Gurgaon, it is hereby notified that the land in the locality specified below is likely to be required for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In the exercise of the powers conferred by the aforesaid section, the Governor of Haryana hereby authorises the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of land in the locality may, within a period of thirty days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, Public Works Department, Buildings and Roads Branch, Ambala Cantonment.

SPECIFICATIONS

District	Tehsil	Village H. B. No.	Area in acres	Boundary		
				Khasra No.	Bighas	Biswas
Gurgaon	Gurgaon	Gurgaon H.B. No. 55	2½ acres approximately	1734	4	0

SHER JANG SINGH, Secy.